IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

FRIDAY, THE 1ST DECEMBER 2006 / 10TH AGRAHAYANA 1928

WP(C).No. 27882 of 2006(T)

PETITIONER:

C.K.ALEXANDER,
MANAGING DIRECTOR, SANGROSE LABORATORIES PVT. LTD.
KOLLAKADAVU INDUSRIAL ESTATE,
KALLIMEL P.O., MAVELIKKARA.

BY ADV. SRI.V.N.ACHUTHA KURUP (SR.)
SRI.B.S.SWATHY KUMAR
SRI.BINDU SREEKUMAR
SRI.K.G.RENGANATH

RESPONDENTS:
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1. STATE OF KERALA,
REP. BY THE SECRETARY TO GOVERNMENT,
HOME DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE CIRCLE INSPECTOR OF POLICE, MAVELIKKARA.

3. THE SUB INSPECTOR OF POLICE, MAVELIKKARA.

4. S.G.SARNGADHARAN, SECRETARY,
BHARATHEEYA MAZDOOR SANGH (BHARANIKKAVU REGION),
B.M.S. OFFICE, MAVELIKKARA.

5. SHIBU MATHEW,
MANJANATTU HOUSE, VAZHUVADY P.O.,
MAVELIKKARA.

6. REJI P., PUTHUKATTU PARAMBIL,
ARUMOOTTIMANGALAM P.O.,
MAVELIKKARA.

7. RADHAKRISHNA KURUP,
CHENNANKARA, PADITTATHIL,
CHUNAKKARA P.O., MAVELIKKARA.

R1 TO R3 BY G.P.SRI.P.A.SALIM
R4 TO R7 BY ADV. SRI.N.NAGARESH

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 01/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON I.A.NO.16785/2006 IN W.P.(C)NO.27882/2006

DISMISSED

1.12.2006

SD/- J.B.KOSHY, JUDGE.
SD/- K.PADMANABHAN NAIR, JUDGE.

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: TRUE COPY OF THE JUDGMENT IN W.P.(C)NO.7088/2006 DATED 17.3.2006.

EXT.P2: TRUE COPY OF THE PETITION DATED 21.10.2006 BEFORE THE 3RD RESPONDENT.

RESPONDENTS' EXHIBITS:

EXT.R4(a) SERIES: TRUE COPIES OF CONCILIATION NOTICES ISSUED BY THE DEPUTY LABOUR OFFICER DATED 27.1.2006, 16.3.2006 AND 25.8.2006.

// TRUE COPY //

TKS

J.B.KOSHY & K.PADMANABHAN NAIR, JJ.

W.P.(C)NO.27882 OF 2006

Dated 1st December, 2006

JUDGMENT

Koshy,J.

This is a petition for police protection. It is the contention of the petitioner that they are manufacturing Anti Leprosy medicine and there are more than 100 permanent employees. According to him, obstructions are caused because disciplinary action was taken against some employees. An interim order of protection was already granted by this court by order dated 25.10.2006. The contesting respondents filed a counter affidavit stating that they are not making any obstruction, but, their complaint is that the management is not participating in the conciliation meetings. We record the undertaking of the contesting respondents that they will not obstruct the ingress and egress of the workers and employees to the factory and they will not cause any physical threat. In the above circumstances, interim order passed on 25.10.2006 is confirmed. Police is directed to give protection as and when necessary. It is true that unions or their supporters can make peaceful agitation outside the factory, but, that should not be in a way so as to obstruct the ingress and egress to the factory. If any panthal is erected or sathyagraha is conducted, it should be done 100

metres away from the gate of the factory. The petitioner or his representative should attend conciliation meetings. With the above direction, this writ petition is disposed of. This is without prejudice to the industrial disputes raised.

J.B.KOSHY
JUDGE

K.PADMANABHAN NAIR
JUDGE

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